

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

NO. 3:06CR431-1-W

UNITED STATES OF AMERICA,

Plaintiff,

vs.

(1) TOMAS MELCHOR-GOMEZ,

Defendant.

ORDER

THIS MATTER is before the Court upon motion of the United States of America (Doc. No.32) for leave without prejudice to dismiss Count 3 of the above-captioned Bill of Indictment and to strike surplusage -- to wit, the words “one loaded Star .380 caliber pistol and ammunition” – from Count Four of the Bill of Indictment.

Leave to dismiss Count 3 without prejudice is granted, and Count 3 is hereby dismissed without prejudice. Likewise, the words “one loaded Star .380 caliber pistol and ammunition” are hereby stricken from Count 4.

This Order only applies to Defendant Tomas Melchor-Gomez and not to Co-defendant Runolfo Romero-Gomez.

IT IS SO ORDERED.

Signed: June 6, 2007



Frank D. Whitney
United States District Judge

